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09/144,313	08/31/1998	JAY L. GAINSBORO	600-015	4672

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EXAMINER
GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
2645	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/144,313	GAINSBORO ET AL.
	Examiner	Art Unit
	Gerald Gauthier	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
     closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>2-4 and 6-46</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>2-4 and 6-46</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

2.   **Claims 2-3, 6-7, 12-13, 26, 35 and 39-41** are rejected under 35 U.S.C. 102(e) as

being anticipated by Reuss et al. (US 5,844,978).

Regarding **claim 2**, Reuss discloses a multi-user telephone line (column 1, lines

8-12), (which reads on claimed "a method of managing institutional telephone activity

between a calling party and a called party"), wherein the method comprises:

providing an account (column 7, line 27 "access code") for each the calling party

(column 7, line 25 "A user"), wherein the account comprises calling entitlements

(column 7, lines 25-37) [The access code are associated with a particular user to

provide user specific services selected by the subscriber];

initiating a communication connection (column 8, line 16 "goes off-hook") by the

calling party from a calling terminal (14 on FIG. 1), wherein the initiating comprises a

communication request (column 8, line 18 "trigger definition") by the calling party

(column 8, lines 14-21) [The user goes off-hook and dialed a logon code using a telephone to request a service];

identifying the calling party (column 8, lines 24-31) [The SSP prompts the user for an access code for identification];

analyzing the communication request to determine parameters (column 8, lines 27-35) [The user inputs an access code and the SCP marks the originating line as active if it is valid]; and

comparing the parameters to the entitlements to determine whether the calling party is entitled to a communication (column 8, line 33 "calls") between the called party and the calling party and determining whether the calling party has an active account (column 8, line 29 "the access code is valid"), wherein the communication is denied if the determining returns a negative results (column 8, lines 35-42) [If the access code is invalid the SSP plays a terminating announcement and terminates the call].

Regarding **claim 3**, Reuss discloses establishing the communication based on the comparing (column 8, lines 24-42).

Regarding **claim 6**, Reuss discloses identifying the calling terminal (column 8, lines 24-31);

determining whether the calling party is entitled to use the calling terminal (column 8, lines 27-31); and

wherein the communication is denied if the determining returns a negative result
(column 8, lines 35-42).

Regarding **claim 7**, Reuss discloses initiating a second communication
connection (column 10, lines 42-48); and

bridging the communication connection with the second communication
connection (column 10, lines 42-48).

Regarding **claims 12 and 41**, Reuss discloses the account contains data
representative of telephone numbers (column 8, lines 19-24).

Regarding **claim 13**, Reuss discloses the account contains data representative
of personal identities (column 8, lines 19-24).

Regarding **claim 26**, Reuss discloses storing in the account data representative
of the communication (column 8, lines 31-35).

Regarding **claim 35**, Reuss discloses a multi-user telephone line (column 1, lines
8-12), (which reads on claimed "a method of managing institutional telephone activity
between a calling party and a called party"), wherein the method comprises the steps of:

providing a plurality of calling terminals (14 on FIG. 1), a plurality of telephone
lines (column 10, lines 22-23 "multiple telephone lines"), an administrative database (26

on FIG. 1), an administrative interface (30 on FIG. 1), wherein the database comprises

an individual account (column 10, line 32 "an access code") for each calling party

(column 10, line 32 "the user") and wherein each the account provides individual

entitlements (column 10, line 38 "the line number") to each the calling party (column 10,

lines 20-42) [The user can access multiple lines depend on the access code particular

to the user].

placing a communication request (column 8, line 18 "trigger definition") from one

of the calling terminals by the calling party to a called party (304 on FIG. 3), wherein the

placing comprises the step of entering numeric data (column 8, line 24 "an access

code") into one of the calling terminals (column 8, lines 14-24) [The access code are

associated with a particular user to provide user specific services selected by the

subscriber];

accepting the communication request (column 8, lines 21-24) [The SCP

recognizes the query as a request to logon];

identifying the calling party (column 8, lines 24-31) [The SSP prompts the user

for an access code for identification];

analyzing the communication request to determine parameters (column 8, lines

27-35) [The user inputs an access code and the SCP marks the originating line as

active if it is valid];

comparing the parameters with the entitlements (column 8, lines 27-31) [If the

access code is valid the SCP marks the originating line as active]; and

conditionally establishing communication (column 8, line 33 "calls") between the

called party and the calling party (column 8, lines 31-42) [If the access code is valid

activates the lines but if the code is invalid terminate the call].

Regarding **claim 39,** Reuss discloses a multi-user telephone line (column 1, lines

8-12), (which reads on claimed "a system for managing institutional telephone activity

between a calling party and a called party"), comprising:

an interface component (30 on FIG. 1) configured to accept a communication

request (column 8, line 18 "trigger definition") from a calling party (column 8, line 16 "the

user"), the communication request having at least one parameter (column 8, lines 14-

21) [The user goes off-hook and dialed a logon code using a telephone to request a

service];

a database (26 on FIG. 1) storing a plurality of accounts (column 8, line 26 "the

access code") associated with calling parties (column 8, line 25 "the user"), each

account storing permissible parameters (column 8, line 30 "the originating line as active

") for each calling party (column 8, lines 24-31) [The SSP prompts the user for an

access code for identification]; and

a screen component (20 on FIG. 1) in communication with the interface

component and the database, configured to read the communication request (column 8,

line 17 "Based on the dialed digits"), query the database (column 8, line 18 "the SSP

launches query") for the permissible parameters associated with the calling party and

determine whether at least one parameter (column 8, line 24 "the access code") is a

permissible parameter (column 8, line 31 "the access code is valid") and configured to determine whether the calling party has an active account (column 8, line 30 "the originating line as active"), the screening component denying the calling party's communication request if the active account determination returns a negative result (column 8, lines 38-42) [If the access code is invalid the SSP plays a terminating announcement and terminates the call].

Regarding **claim 40**, Reuss discloses a communications component, in communication with the screening with the screening component, and configured to process the communications request following determination by the screening component that the communication request contains permissible parameters (column 8, lines 26-42).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   **Claims 4, 8 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Reuss in view of Freedman (US 5,627,887).

        Regarding **claim 4**, Reuss as applied to **claim 2** above differs from **claim 4** in

that it fails to disclose placing the calling party on hold, establishing communication with

the called party, calculating a rate, announcing the rate to the called party, prompting

the called party for acceptance or refusal, receiving a response and establishing

communication.

However, Freedman teaches placing the calling party on hold (column 5, lines 51-55) [connected to voice processing unit is putting calling party on hold];

establishing communication with the called party (column 5, lines 56-59);

calculating a rate (column 3, lines 19-23) to charge the called party for the communication (column 6, lines 38-44);

announcing the rate to the called party (column 7, lines 20-24);

prompting the called party for acceptance or refusal (column 3, lines 19-23) of the rate (column 7, lines 25-27);

receiving a response (column 3, lines 19-23) from the called party (column 7, line 27-31); and

establishing communication (column 3, lines 19-23) between the calling party and the called party based on the response (column 7, lines 31-39).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding this capability in the calling party line as taught by Freedman.

The modification will allow the system to manage the call such that the service provider would save the operating cost.

Regarding **claim 8**, Reuss as applied to **claim 2** above differs from **claim 8** in that it fails to disclose placing the calling party on hold, establishing communication with the called party, calculating a rate, announcing the rate to the called party, prompting the called party for acceptance or refusal and receiving a response.

However, Freedman teaches placing the calling party on hold (column 5, lines 51-55) [connected to voice processing unit is putting calling party on hold];

initiating connection with the called party (column 5, lines 56-59);

detecting completion of the connection (column 7, lines 5-7);

providing identification of the calling party to the called party (column 7, lines 20-24);

prompting the called party for acceptance or refusal (column 3, lines 19-23) of communication with the calling party (column 7, lines 25-27); and

receiving a response (column 3, lines 19-23) from the called party to the prompting (column 7, line 27-31);

wherein the response determines whether the calling party and the called party are connected (column 7, lines 31-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the calling party on hold as taught by Freedman.

The modification will allow the system to control the call such that the operator will dial the called party.

Regarding **claim 11**, Reuss as applied to **claim 2** above differs from **claim 11** in that it fails to disclose the replaying a call origination message to the called part.

However, Freedman teaches replaying a call origination message to the called party (column 7, lines 20-24).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the replaying a call origination message to the called part as taught by Freedman.

The modification will allow the called party to have the original message played such that the called party would hear the calling party name.

6.   **Claims 9 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss in view of Morganstein (US 5,109,405).

Regarding **claim 9**, Reuss as applied to **claim 2** above differs from **claim 9** in that Reuss it fails to disclose the an option to prohibit any future calls.

However, Morganstein teaches providing the called party with an option to prohibit any future calls from the calling party (column 8, lines 33-35).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding an option to prohibit any future calls as taught by Morganstein.

The modification will allow the called party to refuse any call from the calling party such that the line would be free from undesirable calls.

Regarding **claim 10**, Reuss as applied to **claim 2** above differs from **claim 10** in that it fails to disclose the option to prohibit future calls from the location.

However, Morganstein teaches providing the called party with an option to prohibit future calls from the location of the calling party (column 8, lines 66-67).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the option to prohibit future calls from the location as taught by Morganstein.

The modification will allow the called party to reject future call from this location such that it could manage his incoming calls.

7.   **Claims 14-16, 21, 27-28, 42 and 44-46** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss in view of Hou et al. (US 5,566,229).

Regarding **claim 14**, Reuss as applied to **claim 3** above differs from **claim 14** in that it fails to disclose the record the communication by the calling party.

However, Hou teaches the account contains data indicating whether to record the communication by the calling party (column 6, lines 42-61).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the record the communication by the calling party as taught by Gainsboro.

he modification will allow the system to record the call such that the information would be saved in the memory.

Regarding **claim 15**, Reuss as applied to **claim 3** above differs from **claim 15** in that it fails to disclose the record the communication to the called party.

However, Hou teaches the account contains data indicating whether to record the communication to the called party (column 6, lines 42-61).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the record the communication to the called party as taught by Gainsboro.

The modification will allow the system to record the call such that the service provider would save the billing data.

Regarding **claim 16**, Reuss as applied to **claim 3** above differs from **claim 16** in that it fails to disclose the monitoring the communication by the calling party.

However, Hou teaches the account contains data indicating whether to monitor the communication by the calling party (column 10, lines 50-67).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the monitoring the communication by the calling party as taught by Gainsboro.

The modification will allow the calling party to monitor the call such that the calling party would decide whether there is no answer.

Regarding **claim 21**, Reuss as applied to **claim 3** above differs from **claim 21** in that it fails to disclose the administrative control to initiate recording.

However, Hou teaches providing administrative control to initiate recording of the communication (column 6, lines 42-61).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the administrative control to initiate recording as taught by Gainsboro.

The modification will allow the operator to record the call such that the data can be transmitted among the control units.

Regarding **claim 27**, Reuss as applied to **claim 3** above differs from **claim 27** in that it fails to disclose storing keywords in the account.

However, Hou teaches storing keywords in the account (column 5, lines 5-10).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the storing keywords in the account as taught by Hou.

The modification will allow the account to have keywords recorded such that the data can be stored in the database.

Regarding **claim 28**, Reuss and Hou as applied to **claim 27** above differ from **claim 28** in that it fails to disclose the monitoring the communication for the keywords.

However, Hou teaches monitoring the communication for the keywords (column 10, lines 28-32).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the monitoring the communication for the keywords as taught by Hou.

The modification will allow the operator to monitor the call using keywords such that the speech recognition can spot the keyword.

Regarding **claim 42**, Reuss as applied to **claim 41** above differ from **claim 42** in that it fails to disclose a digital conversion component.

However, Hou teaches a digital conversion component configured to receive voice samples from the current calling party and convert the voice samples to a digital format (column 5, lines 19-24).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the digital conversion component as taught by Hou.

The modification will allow the operator to monitor the call using keywords such that the speech recognition can spot the keyword.

Regarding **claim 44**, Reuss and Hou as applied to **claim 42** above differ from **claim 44** in that it fails to disclose a digital conversion component.

However, Hou teaches the digital conversion component is further configured to store the digital samples in a buffer (column 5, lines 1-4).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the digital conversion component as taught by Hou.

The modification will allow the operator to monitor the call using keywords such that the speech recognition can spot the keyword.

Regarding **claim 45**, Reuss and Hou as applied to **claim 42** above differ from **claim 44** in that it fails to disclose the database stores the digital samples.

However, Hou teaches the database stores the digital samples in files associated with the caller accounts (column 5, lines 1-4).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the database stores the digital samples by Hou.

The modification will allow the operator to monitor the call using keywords such that the speech recognition can spot the keyword.

Regarding **claim 46**, Reuss and Hou as applied to **claim 42** above differ from **claim 44** in that it fails to disclose the accounts include suspicious words.

However, Hou teaches the accounts include suspicious words associated with each calling party and the screening component is further configured to scan digital samples for suspicious words (column 5, lines 32-41).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the accounts include suspicious words by Hou.

The modification will allow the operator to monitor the call using keywords such that the speech recognition can spot the keyword.

8.   **Claims 17-20 and 22-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss in view of Howe et al. (US 5,471,519).

Regarding **claim 17**, Reuss as applied to **claim 3** above differs from **claim 17** in that it fails to disclose the monitoring the calling party terminal.

However, Howe teaches the account contains data indicating whether to monitor the calling party terminal (column 8, lines 1-7).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the monitoring the calling party terminal as taught by Howe.

The modification will allow the operator to monitor the call such that the operator would send signals of the call to a telephone central.

Regarding **claim 18**, Reuss as applied to **claim 3** above differs from **claim 18** in that it fails to disclose the option to monitor the communication to predetermined telephone numbers.

However, Howe teaches the account contains data indicating whether to monitor the communication to predetermined telephone numbers (column 7, lines 44-47).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the option to monitor the communication to predetermined telephone numbers as taught by Howe.

The modification will allow the monitoring of the communication to predetermined telephone numbers such that the service provider will able to monitor different communication types.

Regarding **claim 19**, Reuss as applied to **claim 3** above differs from **claim 19** in that it fails to disclose the option to monitor the communication to the called party.

However, Howe teaches the account contains data indicating whether to monitor the communication to the called party (column 7, lines 47-51).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the option to monitor the communication to the called party as taught by Howe.

The modification will allow the called party to monitor incoming calls such that it could manage his calls.

Regarding **claim 20**, Reuss as applied to **claim 3** above differs from **claim 20** in that it fails to disclose the option to whom communications should be not recorded.

However, Howe teaches the account contains data indicating called parties to whom communications should be not recorded (column 10, lines 26-28).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the option to which communications should be not recorded as taught by Howe.

The modification will allow the called party will choose calls to be recorded such that it could have choices on monitoring his incoming calls.

Regarding **claim 22**, Reuss as applied to **claim 3** above differs from **claim 22** in that it fails to disclose the option to initiate administrative monitoring of the communication.

However, Howe teaches providing administrative control to initiate administrative monitoring of the communication (column 10, lines 34-38).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the option to initiate administrative monitoring of the communication as taught by Howe.

The modification will allow the control to administrate call monitoring such that the called party could have a predetermined list of numbers to monitor.

Regarding **claim 23**, Reuss as applied to **claim 3** above differs from **claim 23** in

that it fails to disclose the administrative control to terminate the communication.

However, Howe teaches providing administrative control to terminate the

communication (column 12, lines 9-17).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to modify Reuss by adding the administrative control to terminate

the communication as taught by Howe.

The modification will allow the administrative control to terminate the

communication such that the called party could setup that option when registered.

9.   **Claims 24-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Reuss in view of Daudelin (US 4,922,519).

Regarding **claim 24**, Reuss as applied to **claim 3** above differs from **claim 24** in

that it fails to disclose the monitoring the communication for fraud detection.

However, Daudelin teaches monitoring the communication for fraud detection

events (column 3, lines 66-68).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to modify Reuss by adding the monitoring the communication for

fraud detection as taught by Daudelin.

The modification will allow the operator to detect fraud events such that the data can be used as evidence for high propensity for fraud.

Regarding **claim 25**, Reuss as applied to **claim 2** above differs from **claim 25** in that it fails to disclose the calling party classes.

However, Daudelin teaches providing calling party classes, the classes determining levels of entitlement (column 5, lines 44-48);

wherein the communication request is selectively granted or denied based on the class of the calling party (column 6, lines 3-8).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the calling party classes as taught by Daudelin.

The modification will allow the operator to determine the class of the call such that the operator assistance may no longer required.

10.   **Claims 29-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss in view of Matchett et al. (US 5,229,764).

Regarding **claim 29**, Reuss as applied to **claim 3** above differs from **claim 29** in that it fails to disclose the biometric voice verification.

However, Matchett teaches the identifying comprises biometric voice verification (column 6, lines 49-52).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss by adding the biometric voice verification as taught by Matchett.

The modification will allow the system to have biometric voice verification such that the data can be processed.

Regarding **claim 30**, Reuss and Matchett as applied to **claim 29** above differ from **claim 30** in that it fails to disclose the biometric voice verification occurs continuously.

However, Matchett teaches the biometric voice verification occurs continuously during the communication (column 6, lines 62-64).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss and Matchett by further adding the biometric voice verification occurs continuously as taught by Matchett.

The modification will allow the biometric voice verification occurs continuously such that the system will be protected as long as the device is in use.

Regarding **claim 31**, Reuss and Matchett as applied to **claim 29** above differ from **claim 31** in that it fails to disclose the process of the voice samples of the calling party.

However, Matchett teaches digitizing a first sample of the calling party (column 4, lines 58-59);

storing the first sample (column 4, line 60);

digitizing a second sample of the calling party from the communication (column 4, lines 61-64);

storing the second sample (column 4, lines 60); and

comparing the first sample to the second sample for verifying identification of the calling party (column 4, lines 65-66).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss and Matchett by further adding the process of the voice samples the calling party as taught by Matchett.

The modification will allow the operator to record the process of voice samples such that the rejection of the user can be done at anytime during its use.

Regarding **claim 32**, Reuss and Matchett as applied to **claim 29** above differ from **claim 32** in that it fails to disclose the process of the voice samples the called party.

However, Matchett teaches digitizing a first sample of the called party (column 4, lines 58-59);

storing the first sample (column 4, line 60);

identifying the called party (column 4, lines 67-68);

digitizing a second sample of the called party from the communication (column 4, lines 61-64);

storing the second sample (column 4, lines 60); and

comparing the first sample to the second sample for verifying identification of the called party (column 4, lines 65-66).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss and Matchett by further adding the process of the voice samples the called party as taught by Matchett.

The modification will allow the operator to process the voice samples of the called party such that the data can be tested for the duration of the call.

11.   **Claims 33 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss in view of Hou in further view of Matchett.

Regarding **claim 33**, Reuss and Hou as applied to **claim 28** above differ from **claim 33** in that it fails to disclose the process of the voice samples the called party.

However, Matchett teaches identifying the called party (column 4, lines 67-68);

digitizing a first sample of the calling party (column 4, lines 58-59);

storing the first sample (column 4, line 60);

digitizing a second sample of the called party (column 4, lines 61-64);

storing the second sample (column 4, line 60);

digitizing a third sample of the communication (column 5, lines 1-3);

storing the third sample (column 4, line 60); and

comparing the first sample and the second sample to the third sample (column 4, lines 65-66).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss and Hou by further adding the process of the voice samples the called party as taught by Matchett.

The modification will allow the process of the voice samples the called party such that the continuous monitoring would be done.

Regarding **claim 34**, Reuss, Hou and Matchett as applied to **claim 33** above differ from **claim 34** in that it fails to disclose the detection of unauthorized parties.

However, Matchett teaches the comparing detects unauthorized parties to the communication (column 5, lines 40-44).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss, Hou and Matchett by further adding the detection of unauthorized parties as taught by Matchett.

The modification will allow the detection of unauthorized parties such that the fraudulent calls can be eliminated.

12.   **Claim 36** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss

and in view of Kikinis et al. (US 5,799,068).

Regarding **claim 36,** Reuss as applied to **claim 35** above differ from **claim 36** in

that it fails to disclose a digital recording buffer.

However, Kikinis teaches providing a digital recording buffer (column 6, lines 62-

64) and a digital mass storage device (column 16, lines 57-60);

monitoring the system for active calls (column 9, line 30-32); and

recording the active calls in the buffer (column 21, lines 32-33).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to modify Reuss by adding a digital recording buffer as taught by

Kikinis.

The modification will allow the recording of active calls such that the names will

be entered.

13.   **Claim 37** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss

in view of Kikinis and in further view of Hou.

Regarding **claim 37,** Reuss and Kikinis as applied to **claim 36** above differ from

claim 37 in that it fails to disclose the process of recording continuously.

However, Hou teaches the recording is continuous (column 3, lines 23-29).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss and Kikinis by further adding the process of recording continuously as taught by Hou.

The modification will allow the recording to be done continuously such that the caller could be identified by viewing more than one file.

14.   **Claim 38** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss, in view of Kikinis, and in further view of Daudelin.

Regarding **claim 38,** Reuss and Kikinis as applied to **claim 36** above from **claim 38** in that it fails to disclose monitoring the active call for fraud detection differ events.

However, Daudelin teaches monitoring the active call for fraud detection events (column 3, lines 66-68);

storing the buffer contents in the mass storage device if the monitoring returns a positive result (column 4, lines 21-28); and

recording the remainder of the active call in the mass storage device if the monitoring returns a positive result (column 4, lines 33-39).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Reuss and Kikinis by further adding the monitoring the active call for fraud detection events as taught by Daudelin.

The modification will allow the detection of unauthorized parties such that the

fraudulent calls can be eliminated.

15.   **Claim 43** is rejected under 35 U.S.C. 103(a) as being unpatentable over Reuss,

in view of Hou, and in further view of Matchett.

Regarding **claim 43**, Reuss and Hou as applied to **claim 42** above differ from

claim 43 in that it fails to disclose the screening component.

However, Matchett teaches the screening component is further configured to

perform biometric voice identification on the samples generated by the digital

conversion component and further configured to confirm an identity of the calling party

based upon the results of the biometric voice identification (column 6, lines 49-55).

It would have been obvious to one of the ordinary skill in the art at the time the

invention was made to modify Reuss and Hou by further adding the screening

component as taught by Matchett.

The modification will allow the detection of unauthorized parties such that the

fraudulent calls can be eliminated.

Response to Arguments

16.   Applicant's arguments with respect to **claims 2-4 and 6-46** have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

17.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-

0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for

the organization where this application or proceeding is assigned are (703) 872-9314 for

regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

4750.

g.g.
February 25, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600